IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	**SOHOCKI**	§	EXAMINER: **SHIBUYA, ML**
SERIAL NO:	**09/765061**	§	GROUP ART UNIT: **1639**
FILED:	**01/17/2001**	§	DOCKET: **25630/16UTL**
FOR:	**MUTATIONS IN A NOVEL PHOTORECEPTOR-PINEAL GENE ON 17P CAUSE LEBER CONGENITAL AMAUROSIS (LCA4)**	§	

EV 552 287 149 US Express Mail Number	**CERTIFICATION UNDER 37 C.F.R. § 1.10**	July 6, 2006 Date of Deposit

I hereby certify that this Application and the documents referred to as enclosed therein are being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee," addressed to:

MS AMENDMENT
P.O. Box 1450
Alexandria, VA 22313-1450

Robert W. Strozier — July 6, 2006 (Date of Signature)

RESPONSE TO 21 APRIL 2006 ELECTION/RESTRICTION REQUIREMENT

REMARKS

The Examiner contends:

1. Claims 1-27 are pending and restricted.
2. The applicant is respectfully invited to note that claims 1-27 are listed as Groups I-VIII, but in actuality, contain within those claims a large number of separate and distinct inventions. Election of a single invention from within this group of claims is required as specifically set forth (see Further Restriction, below).

Election/Restrictions

3. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1, 2, 4, 6-8, 25, drawn to a composition comprising a polynucleotide sequence selected from polynucleotides, primers, probes, and kits, classifiable in class 536, subclass 24.31.

II. Claim 3, drawn to a protein of various SEQ ID Nos. or expressed from a polynucleotide comprising a nucleotide sequence of various SEQ ID Nos, classifiable in class 530, subclass 350.

III. Claim 5, drawn to a library comprising anti-sense DNA sequences, each sequence including a mutation of the AIPL1 gene selected from the group consisting of SEQ ID NOs. 9-41, classifiable in class 435, subclass DIG 37.

IV. Claims 9-13, 21-24, 27, drawn to a method to determine retinal disease comprising determining if a polynucleotide from a cell or sample contains a mutation in an AIPL1 encoding or regulating region, classifiable in class 435, subclass 6. .

V. Claims 14-16, drawn to a method to treat retinal disease comprising administering an effective amount of a protein encoded by a wild type AIPLAI gene, a polynucleotide sequence of a wild-type AIPLI gene or a medication designed to ameliorate retinal disease symptoms, classifiable in class 514, subclass 2.